



Bond Gap Financing

Program Year 2021 Guidelines

Office of Multifamily Housing | **April 2021**

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A. Bond Gap Financing Program Overview

Purpose

The Housing Development Assistance Program (HDAP) provides gap financing for eligible affordable housing development properties. It utilizes funding from the HOME Investment Partnerships Program (HOME), the Ohio Housing Trust Fund (OHTF), and the National Housing Trust Fund (NHTF). HDAP provides this funding via three distinct programs:

Housing Credit Gap Financing (HCGF) program

Gap financing used in conjunction with competitive/9% tax credits

Bond Gap Financing (BGF) program

Gap financing used in conjunction with non-competitive/4% tax credits

Housing Development Gap Financing (HDGF) program

Gap financing for projects not utilizing tax credits

Applicants seeking 4% Housing Tax Credits, bond financing, and OHFA gap financing for their development apply through the Bond Gap Financing (BGF) program. Applicants seeking 4% HTC and bonds *without* OHFA gap financing do not apply for funding through the BGF program, but during one of the 4%-only rounds held quarterly as outlined in the [2021 Qualified Allocation Plan \(QAP\)](#).

Funding Sources

BGF utilizes funding from OHTF, NHTF, and if available, HOME.

Ohio Housing Trust Fund (OHTF)

The OHTF provides funding to projects predominantly serving low- to moderate-income households with incomes at or below 50 percent of the Area Median Income (AMI). The OHTF gives preference to projects that benefit households with incomes at or below 35 percent of the AMI for the county in which the project is located, as established by HUD. See [ORC Chapter 174](#) and [OAC Chapter 122:6-1](#) for more information. **The State of Ohio is required to award a minimum of 50% of all OHTF to projects in non-Participating Jurisdictions as defined by HUD.**

National Housing Trust Fund (NHTF)

The NHTF was established by Title I of the Housing and Economic Recovery Act of 2008 to increase and preserve rental housing as well as increase homeownership for very low- and extremely low-income families, including those experiencing homelessness, through formula grants to states. Program requirements are provided for in the [HTF Interim Rule](#). Further program guidelines and requirements are contained in the current [NHTF Allocation Plan](#), which is specifically incorporated herein.

HOME Investment Partnerships Program (HOME)

HOME funds are provided to the State of Ohio by federal appropriation through HUD. Funding levels are subject to appropriation of funds and approval of the State Consolidated Plan. HOME projects are subject to federal regulations relating to environmental review, wage rates, accessibility, acquisition and relocation laws [URA and Section 104(d)], long-term affordability, etc. Program requirements are stated in [24 CFR Part 92](#).

B. Funding Availability and Limits

Award Amounts

OHFA anticipates at least \$18.5 million in gap financing being available through the BGF program in Program Year 2021 (PY21). Available funding will be announced once finalized. Applicants may request **no more than** the below amounts:

| Project Type | Maximum BGF Request per Project |
|--|---------------------------------|
| New Affordability | |
| <i>In Participating Jurisdiction</i> | \$2,500,000 |
| <i>In Non-Participating Jurisdiction</i> | \$3,000,000 |
| Preserved Affordability | |
| <i>In Participating Jurisdiction</i> | \$2,000,000 |
| <i>In Non-Participating Jurisdiction</i> | \$2,500,000 |

The following limits also apply:

- The amount requested may not exceed 50 percent of the total development costs of the project.
- For projects with a prior award of HDAP, the total amount of HDAP awarded (including the original award) may not exceed the funding limits noted above.
 - *Example:* If a project has a prior award through HDAP of \$300,000 and, based on the above chart, is eligible for an award of \$2,000,000, the maximum award they can request in 2020 is \$1,700,000.

OHFA reserves the right to adjust the award based on the needs of the project as determined through the financial underwriting review.

In addition to the evaluation criteria explained further in these guidelines, OHFA will award BGF funding based on the need to meet state-required set-asides specific to each funding source and based on the source most appropriate for the applicant/project.

Applicants may specifically request one or more of the below funding sources, however OHFA reserves the right to determine which source(s) of funding will be allocated to each project regardless of the request. If an applicant is unable to accept one of the available funding sources, an Exception Request must be submitted in advance of the round indicating this and the reasons why (rent restrictions, environmental requirements, etc.).

Application Limits

Developers and owners, including their related and affiliated entities, may submit the following number of BGF applications and receive the following number of BGF awards:

| Developer Experience | Number of Applications | Number of Awards |
|---|------------------------|------------------|
| <p>Experienced Developers: <i>must have experience with HDAP and 4% HTC AND must have placed in service at least five tax credit projects in Ohio or other states in the last 10 years.</i></p> <ul style="list-style-type: none"> - <i>Experienced developers who wish to submit a 3rd application must submit an Exception Request and receive approval prior to the application deadline.</i> | 2 | 2 |
| All Others | 2 | 1 |

OHFA reserves the right to award more than one application to developers in the “All Others” category above based on applications received, funding available, or other items central to the administration of the program.

C. Program Calendar

| 2021 BGF Round | |
|--------------------------------|--|
| April 2021 | Application materials available on the OHFA website |
| May 14, 2021 | Exception requests due to OHFA by 5:00 p.m. |
| May 28, 2021 | Decisions issued for exceptions to program requirements |
| June 18, 2021 | Proposal applications due to OHFA by 5:00 p.m. |
| June/July 2021 | Release of preliminary threshold and underwriting review |
| <i>(One week from release)</i> | <i>Developer responses due- threshold/underwriting</i> |
| July 23, 2021 | Release of preliminary competitive scores |
| July 30, 2021 | <i>Developer responses due- competitive</i> |
| August 6, 2021 | Announcement of BGF awards |
| August 2021 | Development Next Steps meetings begin |
| November 12, 2021 | Final applications due to OHFA by 5:00 p.m. |

D. Program Requirements

The BGF program combines 4% housing tax credits, multifamily bonds, and gap financing. The requirements for these funding sources are set forth in several documents. Applicants are responsible for reviewing and understanding the requirements for each of the applicable funding sources before submitting an application for BGF.

Qualified Allocation Plan

The [QAP](#) outlines all requirements for both competitive and non-competitive tax credits. BGF applicants are required to comply with all tax credit requirements as outlined in the QAP. This includes, but is not limited to, the following:

- Domestic Violence Protection and Prevention
- Fair Housing Requirements
- All BGF-applicable requirements as outlined in the **HTC Programmatic Requirements & Oversight** section:
 - Average Income minimum set-aside
 - Competitive Scoring
 - Compliance with [Multifamily Underwriting Guidelines](#)¹
 - [Design & Architectural Standards](#)
 - Detrimental Land Uses
 - DevCo
 - Extended Use Agreement
 - Fraud, Waste and Abuse
 - Penalties
 - Resyndication
 - Scattered Site Definition & Requirements
 - Scoring Reassessments
 - Substantial Rehabilitation
- Post-Award and Project Administration
- Training and Technical Assistance
- Program Compliance
- Asset Management

The [QAP](#) also contains the requirements for the **Housing Credit Gap Financing** program. The BGF program requires compliance with many, but not all, of the HCGF requirements. BGF applicants must comply with all program and project requirements as outlined in the **Housing Credit Gap Financing** section and noted below, except for those items which state requirements specific to BGF.

- HCGF Eligibility (see below for BGF-specific requirements)
 - Eligible Uses of Funds
 - Ineligible Developments (see below for BGF-specific requirements)
- HCGF Financing Terms
 - Loans

¹ BGF Applicants must request an Exception Request and receive approval to use a developer fee of 25 percent. The additional fee amount above 20 percent must be put back into the development as GP capital contribution or deferred developer fee. The additional fee is not permitted to be put back into the development in the form of a seller note. If the additional fee is put back in as deferred developer fee, it must be repaid within the 15-year timeframe. Justification for the increased developer fee must be included with the request, both in the narrative section and with supporting documentation. OHFA reserves the right to request additional information, as well as to deny the request based on the justification provided.

- Grants
- HCGF Project Requirements
 - Rent and Income Restrictions (see below for BGF-specific requirements)
 - Environmental Review
 - Design & Construction Requirements
 - Lead-Based Paint Strategy
 - Appraisals
 - Uniform Relocation Act (URA) Relocation Standards
 - Affirmative Fair Housing Marketing Plan
 - Wage Rate Compliance

Multifamily Bond Guidelines

The [Bond Guidelines](#) outline all requirements for projects seeking OHFA-issued or non-OHFA-issued bonds. The Internal Revenue Code (IRC) requires that developments awarded 4 percent Housing Tax Credits must utilize multifamily bonds financing for more than 50 percent of the total project cost. OHFA strongly encourages all applicants to seek experienced legal and accounting counsel in order to comply with all program requirements found in the most current Bond Guidelines and QAP.

National Housing Trust Fund Allocation Plan

Projects receiving NHTF must comply with all requirements outlined in 24 CFR Parts [91](#) and [93](#) as well as the [PY2021 National Housing Trust Fund Allocation Plan](#), including but not limited to tenant protections and selection, rehabilitation standards, and threshold requirements.

Additional BGF-Specific Requirements

Eligible Applicants

Eligible applicants for BGF are defined as the following:

- Developers who have successfully placed at least one LIHTC project in service in Ohio within the last 10 years; or
 - For the purposes of these guidelines, success is defined as having completed the project within the timeframes established in the QAP and as represented in their application to OHFA.
- Out of state developers who have not placed at least one LIHTC project in service in Ohio within the last 10 years, but who partner with an entity who meets the necessary requirements.
 - The entity serving as the experienced partner in the project must act as the lead developer at all times which includes, but is not limited to: serving as the primary point of contact for OHFA throughout project development; and serving as the primary decision maker with respect to selection of third party providers, general contractors, etc.

Applicants who have received an award of BGF in PY2019 or earlier and have not yet closed with OHFA's Legal Office on the BGF award as of the PY2021 application deadline must submit an Exception Request and receive approval from OHFA in order to submit an application.

Applicants should reach out to OHFA as early as possible if they are unsure if they meet this criteria or any other Experience and Capacity requirements.

Ineligible Developments

The following developments are not eligible for BGF funding:

- Non-competitive 4% HTC developments in their initial 15-year compliance period as of the 2021 application deadline; or
- Competitive 9% HTC developments that have not completed at least 20 years of the compliance period as of the 2021 application deadline.

Exception Requests will be considered on a case-by-case basis with compelling justification and will be granted at OHFA's discretion.

Exceptions will be most viable if either:

1. Extreme circumstances beyond the development's control are documented that require recapitalization; and/or
2. The most recent credit allocation was 20 or more years ago, applicant demonstrates a need for replacement of major building components which exceed the available resources in the replacement reserve accounts, and the applicant affirmatively demonstrates that a Non-Competitive HTC allocation is infeasible; and/or
3. The development is a scattered site project and a portion of the buildings have completed 20 years or more of the compliance period.

NOTE: Projects that are unsuccessful in the 2021 Competitive 9% LIHTC round may submit a BGF application; however, those applications will be placed on a waiting list, and will only be considered if resources are available after all other eligible applications have been funded.

Cost Containment

Applicants will be required to meet the Cost Containment criteria detailed on page 29 of the [2021 QAP](#). Applicants must use the TDC/Unit and TDC/GSF caps from the pool that most closely aligns with their project type. Pool definitions, including eligibility criteria, can be found on pages 36-41 of the QAP.

OHFA will evaluate projects to ensure compliance at Proposal and Final application as well as at 8609. Projects that do not demonstrate compliance with the caps will be removed from consideration or subject to the penalties detailed in the 2021 QAP.

Minimum Rehabilitation Requirements

Per the [OHFA Multifamily Underwriting Guidelines](#), any rehabilitation projects seeking HTC (competitive or non-competitive), must meet the definition of Substantial Rehabilitation as stated on pages 11-12 of the Guidelines.

Rent and Income Restrictions

OHFA defines affordable as affordable to and occupied by households at or below 80 percent AMI. All developments applying to the BGF program must commit to the following rent and income restriction(s), based on the location and funding source of the proposed project. A map of HUD Participating and Non-Participating Jurisdictions can be found in [Appendix C](#).

1. All projects that include **OHTF** or **HOME** funding must meet the below requirements for both Restricted and Assisted Units:
 - *Restricted Units*
 - *HUD Participating Jurisdiction*: A minimum of 40 percent of the affordable units must be affordable to and occupied by households with incomes at or below 50 percent of AMI; or
 - *Non-HUD Participating Jurisdiction*: A minimum of 35 percent of the affordable units must be affordable to and occupied by households with incomes at or below 50 percent of AMI.

- *Assisted Units*
 - All projects will be required to include units that meet HUD’s High and Low HOME Rent Requirements.
2. All projects that include **NHTF** funding must meet the below requirement for *NHTF Assisted Units*, which is the greater of:
- 10 percent of the affordable units must be both affordable to and occupied by households with incomes at or below 30 percent of AMI; or
 - 5 units, which are both affordable to and occupied by households with incomes at or below 30 percent of AMI.

Developments utilizing a combination of HOME, OHTF, and NHTF funding must incorporate the rent restrictions for each funding type without overlap.

Fees

The non-refundable fees noted below must be submitted with the respective item. Additional fees may be required if also seeking a Housing Development Loan.

| Item | Fee |
|--|------------------------|
| Proposal Application Fee | \$2,500 |
| Final Application Fee | \$2,500 |
| Reunderwrite Fee* | \$2,500 per submission |
| Amendments to a funding agreement | \$1,000 per request |
| Extensions of a funding agreement | \$1,000 per extension |
| Compliance Monitoring Fee | \$2,400/unit |

*In the event that an applicant submits a revised AHFA after initial submission, OHFA reserves the right to charge a reunderwrite fee.

E. Competitive Information

Funding Pools

Applications for BGF funds will be evaluated based on the competitive criteria specific to the funding pool in which the application is eligible. The funding pool is based on the characterization of the majority of units in the development. OHFA may decide to limit the number of applications that will be funded in a single city or county in order to ensure geographic balance. The funding pools are as follows:

- **New Affordability (NA):** New Affordability is defined as the new construction or renovation of existing structures that create units that are newly affordable, meaning not previously rent- or income-restricted or occupied. Renovation of existing occupied units, including those that are not currently rent- or income-restricted, are not eligible to compete in this pool. OHFA will take into consideration how long the units have been vacant when determining whether or not a project qualifies to compete.
- **Preserved Affordability (PA):** Developments in which the majority of units preserve existing affordability by maintaining project-based rental assistance, project-based operating subsidies or LIHTC.

Set-Asides

OHFA will administer the following BGF set-asides in 2021. Developments meeting the requirements set forth in each category will compete against like applications for the extent of the set-asides.

- **Non-Participating Jurisdiction:** At least one housing development that is located in a Non-Participating Jurisdiction. More than one will be awarded in the event OHFA needs to meet required state set-asides.
- **Strategic Initiatives:** OHFA may award one or more housing developments that meet one or more of the “priority selection consideration” criteria outlined in the [2021 QAP](#) (page 42).

Scoring Criteria

The following competitive criteria will be used to evaluate projects in the New Affordability (NA) and Preserved Affordability (PA) pools as indicated in each chart.

| Scoring Category | Maximum Points | |
|--|----------------|---------|
| | NA (25) | PA (25) |
| 1. Geographic Diversity | 5 | 0 |
| 2. Project-Based Rental Assistance | 0 | 5 |
| 3. Priority Housing Needs- ELI Targeting | 5 | 0 |
| 4. Priority Housing Needs- PJ: Transit | 5 | 0 |
| 5. Priority Housing Needs- Non-PJ: Severe Housing Problems | | |
| 6. Leverage | 5 | 5 |
| 7. At-Risk Property: (select one) | | |
| a) <i>Default or Foreclosure</i> | 0 | 5 |
| b) <i>Need for Replacement</i> | 0 | 5 |
| c) <i>Physical Condition</i> | 0 | 4 |
| 8. Rehab Scope | 0 | 5 |
| 9. Cost Efficiency | 5 | 5 |

1. Geographic Diversity

Maximum points: 5

Project is located in the one of the following areas as defined by OHFA's [Opportunity and Community Change Index](#) or other sources as stated below.

Documentation Required

- Eligibility will be identified in the AHFA based on the project address.
- If seeking points for *Area subject to a Revitalization Plan*, the applicant must submit a copy of the current revitalization plan and proof that the development is sited within its boundaries.

| Geographic Diversity: Select one | NA | PA |
|--|----|-----|
| Very High Opportunity | 5 | n/a |
| High Opportunity | 4 | n/a |
| Moderate Opportunity | 3 | n/a |
| Strongest Growth | 5 | n/a |
| Strong Growth | 4 | n/a |
| Slight Growth | 3 | n/a |
| 2021 Qualified Census Tract, as defined by HUD | 3 | n/a |
| Area subject to a Revitalization Plan, as defined in the 2020-2021 QAP | 3 | n/a |

2. Project-Based Rental Assistance

Maximum points: 5

Project commits to project-based rental assistance on the below number of units from one or more of the following sources: *Section 8 or Rural Development rental subsidy*; and/or *Other local, state, or federal subsidy as determined by OHFA* that limits tenant rental contribution to 30% of gross household income.

Documentation Required

- Proof of the subsidy (consistent with the Document Submission Requirements for Rental Subsidy Contract as stated in the 2021 QAP, pages 20-21) must be included with the application and reflected in the AHFA. Percentages will be rounded to the nearest whole number.

| Project-Based Rental Assistance: Select one | NA | PA |
|--|-----|----|
| HUD Section 8: Commitment on 100% of affordable units | n/a | 5 |
| HUD Section 8: Commitment on at least 90% of affordable units | n/a | 4 |
| HUD Section 8: Commitment on at least 80% of affordable units | n/a | 3 |
| HUD Section 8: Commitment on at least 70% of affordable units | n/a | 2 |
| RD Subsidy/Other: Commitment on at least 60% of affordable units | n/a | 5 |
| RD Subsidy/Other: Commitment on at least 50% of affordable units | n/a | 4 |
| RD Subsidy/Other: Commitment on at least 40% of affordable units | n/a | 3 |
| RD Subsidy/Other: Commitment on at least 30% of affordable units | n/a | 2 |

3. Priority Housing Needs- ELI Targeting

Maximum points: 5

Project commits to one of the below percentages of units affordable to and occupied by households at or below 30% AMI. This includes units with project-based rental assistance or other rental subsidy that result in the unit meeting this rent and income restriction.

Documentation Required

- No additional documentation required.
- Eligibility will be determined by the AHFA. Units must be properly identified in the budget and supported by the market study. Percentages will be rounded to the nearest whole number.

| ELI Targeting: Select one | NA | PA |
|--|----|-----|
| Participating Jurisdiction: At least 20% of all affordable units | 5 | n/a |
| Participating Jurisdiction: At least 15% of all affordable units | 4 | n/a |
| Participating Jurisdiction: At least 10% of all affordable units | 3 | n/a |
| Non-Participating Jurisdiction: At least 15% of all affordable units | 5 | n/a |
| Non-Participating Jurisdiction: At least 10% of all affordable units | 4 | n/a |
| Non-Participating Jurisdiction: At least 5% of all affordable units | 3 | n/a |

4. Priority Housing Needs- PJ: Transit

Maximum points: 5

Project is located in a Participating Jurisdiction and in a census tract with one of the below listed Transportation Connectivity Index scores as shown in the OHFA QAP Interactive Map.

Alternatively, Senior developments and Permanent Supportive Housing developments may receive points in this category for development-provided transportation. Development-provided transportation services are provided by the development (funded by development or partner organization) at no charge to the residents, and available to residents at least five times per week.

Documentation Required

- *TCI Index*: A screenshot from the OHFA QAP Interactive Map (the [New Affordability: Urban Opportunity](#), [General Occupancy Urban Housing](#), and [Senior Urban](#) interactive maps all contain the *Transportation* map layer with this data) that evidences the development is located in a census tract with a TCI score applicable to the number of points being claimed.
- *Development-provided transportation*: A written certification that the owner will provide transportation services that meet the stated requirements and specify how the transportation services will be paid for.

| Transit: Select one | NA | PA |
|---|----|-----|
| Participating Jurisdiction only: TCI Index = 8 or higher | 5 | n/a |
| Participating Jurisdiction only: TCI Index = 4-7 | 4 | n/a |
| Participating Jurisdiction only: TCI Index = 1-3 | 3 | n/a |
| Development-provided transportation (Senior and PSH only) | 4 | n/a |

5. Priority Housing Needs- Non-PJ: Severe Housing Problems

Maximum points: 5

Project is located in a Non-Participating Jurisdiction and in a county with a high percentage of severe housing problems for renters as shown in the OHFA QAP Interactive Map.

Documentation Required

- The applicant must submit a screenshot from the OHFA QAP Interactive Map (the [New Affordability: Non-Urban Housing Pool](#) interactive map contains the *Severe Housing Problems* map layer with this data) that evidences the development is located in a county with a percentage in one of the below ranges.

| Severe Housing Problems: Select one | NA | PA |
|---|----|-----|
| Non-Participating Jurisdiction only: 27.1% or greater | 5 | n/a |
| Non-Participating Jurisdiction only: 23.1% - 27.0% | 4 | n/a |
| Non-Participating Jurisdiction only: 21.1% - 23.0% | 3 | n/a |
| Non-Participating Jurisdiction only: 17.0% - 21.0% | 2 | n/a |

6. Leverage

Maximum points: 5

Development budget reflects a leverage percentage, as verified by OHFA, which falls into one of the stated point categories below.

For the purposes of this scoring item, and in accordance with the requirement of the National Housing Trust Fund, leverage percentage refers to the total financing coming from non-federal² and non-OHFA sources.

Non-Federal, non-OHFA funding sources include the following:

- Private debt from a non-related entity
- Private capital from a non-related entity
- Funds from the Federal Home Loan Bank's Affordable Housing Program
- State historic tax credit equity
- Grants or loans from the state or local government (City or county HOME funds do not qualify as these are federal funding sources. See footnote.)

For clarification, the following sources of funding are not eligible for points in this category:

- LIHTC equity
- Property tax abatements, tax increment financing, or payment in lieu of taxes (PILOT)
- Transferred reserves
- Income during construction
- GP Capital Contribution
- Seller Notes

² Federal funding may take the form of a grant, loan, loan guarantee, insurance, or other types of assistance. Though a recipient may not receive funds/assistance directly from the federal government this does not make what is received non-federal. Federal funding sources may be provided to recipients through a state or local government, pass-through entity, bank, etc. Federal funding sources will have program information pages, laws, and regulations at the federal level. Eligible applicants, uses of funding, compliance requirements, and other program requirements are defined at the federal level. Some examples of federal funding sources include HOME, CBDG, Section 202, Section 811, FHA mortgage insurance, USDA Rural Development loans or loan guarantees, and federal rental assistance.

- Deferred Developer Fee
- Assumed debt

Documentation Required

- Documentation for any leverage sources being provided and claimed for points must meet the Conditional Financial Commitments requirements outlined in the 2021 QAP (pages 11-12).
- Sources must be clearly reflected in the Budget and Costs and Cashflow tabs of the AHFA. All percentages will be rounded to the nearest whole number.

| Leverage: <i>Select one</i> | NA | PA |
|--|----|----|
| Application represents the highest leverage percentage in its pool | 5 | 5 |
| Leverage percentage is within 15% of the highest leverage percentage submitted in pool | 4 | 4 |
| Leverage percentage is within 30% of the highest leverage percentage submitted in pool | 3 | 3 |

7. At-Risk Property

Maximum points: 5 (Select one)

a) Default or Foreclosure

Development meets all of the following:

- Development is either at risk of default or foreclosure evidenced by notification from third-party lender(s);
- Development was acquired by applicant in the last two years or has a purchase agreement in place contingent upon the award of credits, and had above conditions at the time of purchase, and seller was not a related entity; AND
- The seller did not, or will not, receive any operating, maintenance, or other reserve funds as a result of or concurrent with the sale of the asset.

Documentation Required

- The applicant shall submit a brief narrative describing the troubled asset and those steps that have or will be taken to put the asset back into productive use, and a copy of the sales or purchase agreement or other sufficient proof of adherence to the above requirements as determined at OHFA's sole discretion.
- Additionally, a foreclosure (if applicable) must be evidenced by notification(s) from third party lender(s).

b) Need for Replacement

Development has been become obsolete due to factors beyond the control of the current ownership and poses significant health and safety concerns in its current state. Demolition of the existing obsolete structure(s) and replacement with newly constructed units is more financially feasible than rehabilitation due to the scope of repairs and replacements needed. The replacement development must provide the same number of units that will be demolished.

Documentation Required

- The applicant shall submit a brief narrative describing the ownership and management history, the factors that have caused the property to be in its current state, demonstration that sufficient operating expenses and replacement reserves will be in place for the replacement housing, and evidence that rehabilitation of the current structure(s) was explored before seeking to demolish the structure.

c) Physical Condition

Development has been maintained through good management but contains no more than three Major Building Systems³ that are past their effective useful life, need immediate replacement, and will be replaced as part of the scope of work. Major Building Systems are defined in the [Design and Architectural Standards](#).

The developer/owner must have been the owner for at least five years and must remain a part of the ownership structure if seeking points for this criterion.

OHFA will determine this score in part by a site visit to verify the overall condition of all buildings in the proposed development as well as the critical needs identified in the PCNA.

Documentation Required

- The applicant shall submit a brief narrative describing the management history, the systems (and components/subcomponents that make up those systems) that need replacing, and a detailed itemization of the use of the project's replacement reserves.
- For each system that needs replacement, the applicant must identify the specific page numbers of the PCNA that clearly state the system as being both past its effective useful life AND needing immediate replacement. The applicant must also identify the specific page numbers of the scope of work that addresses replacement of these systems and/or components.

| At-Risk Property: Select one | NA | PA |
|------------------------------|-----|----|
| Default or Foreclosure | n/a | 5 |
| Need for Replacement | n/a | 5 |
| Physical Condition | n/a | 4 |

8. Rehab Scope

Maximum points: 5

Development needs the replacement of at least 50% of two Major Building Systems AND the hard construction dollars of rehabilitation per unit equals \$38,000 or more. Major Building Systems are defined in the [Design and Architectural Standards](#). The Major Building Systems used for this scoring criterion must meet all of the following:

- Past their effective useful life;
- Need immediate replacement; AND

³ The replacement of additional Major Building Systems, or components which make up those Systems, which are beyond 75% of their EUL may be included in the Scope of Work, but are only eligible for points under this category if the PCNA evidences a need for immediate replacement.

- Will be replaced as part of the scope of work.

Preserved Affordability projects proposing demolition of existing units and new construction replacement will receive 5 points if demonstrated that the structure being replaced is no longer viable.

Documentation Required

- For each Major Building System that needs replacement, the applicant must identify the specific page numbers of the PCNA that clearly state the system (or the components making up at least 50% of the system) as being both past its effective useful life AND needing immediate replacement. The applicant must also identify the specific page numbers of the scope of work that addresses replacement of these systems and/or components.
- Eligibility will be determined through the AHFA (Hard Construction-Residential Rehab. line item in the Budget & Costs tab), site visit, scope of work, and/or PCNA. OHFA reserves the right to deny points or change point allocation based on assessment.
- If seeking points for Demolition/New Construction of replacement units, evidence that demonstrates the structure being replaced is no longer viable.

| Rehab Scope: Select one | NA | PA |
|---|-----------|-----------|
| Hard construction cost per unit of \$38,000-\$40,000 | n/a | 3 |
| Hard construction cost per unit of \$40,001-\$45,000 | n/a | 4 |
| Hard construction cost per unit greater than \$45,000 | n/a | 5 |
| Demolition/New Construction of replacement units | n/a | 5 |

9. Cost Efficiency

Maximum points: 5

Development budget reflects one of the below BGF per unit amounts.

In order to compensate for unintended disadvantages experienced by certain types of projects in this category, developments in any the following categories will be awarded two additional points after determining their base Cost Efficiency score:

- Developments with 60 or fewer total units; or
- Developments serving a PSH population; or
- Developments with a construction type of 100% adaptive reuse.

The maximum points available with the additional two points will still be 5.

Documentation Required

- No additional documentation required.
- OHFA will confirm eligibility through the AHFA. This will be calculated by dividing the total BGF amount requested by the total number of affordable units.

| Cost Efficiency: Select one | NA | PA |
|---|-----------|-----------|
| Rehabilitation of existing units: | | |
| \$15,000 BGF per unit and below | n/a | 5 |
| \$15,001 - \$20,000 BGF per unit | n/a | 4 |
| \$20,001 - \$25,000 BGF per unit | n/a | 3 |
| \$25,001 - \$30,000 BGF per unit | n/a | 2 |
| \$30,001 - \$35,000 BGF per unit | n/a | 1 |
| New Construction/Adaptive Reuse: | | |
| \$20,000 BGF per unit and below | 5 | 5 |
| \$20,001 - \$25,000 BGF per unit | 4 | 4 |
| \$25,001 - \$30,000 BGF per unit | 3 | 3 |
| \$30,001 - \$35,000 BGF per unit | 2 | 2 |
| \$35,001 - \$40,000 BGF per unit | 1 | 1 |
| Points in addition to those above: | | |
| 60 or fewer total units / PSH / 100% Adaptive Reuse | 2 | 2 |

BGF Tiebreakers

1. Most units affordable to individuals at or below 30% AMI
2. Most points received under Geographic Diversity
3. Longest affordability period, as required by other state or federal funding sources

F. Application Requirements and Submission

Exception Requests

Exception Requests must be submitted by the date noted in the [Program Calendar](#). Applicants must submit the [Exception Request Form](#) via email to ExceptionsPPD@ohiohome.org.

Proposal Application

When to Submit

Proposal applications must be submitted by the date noted in the [Program Calendar](#).

How to Submit

The completed application package, including required supporting documentation, may be submitted in either of the following ways:

1. On a compact disc, mailed to the below address:
*Ohio Housing Finance Agency
Office of Multifamily Housing, Development Division
Operations Manager
57 East Main Street
Columbus, Ohio 43215*

OR

2. Electronically, via OHFA's FTP server.
To request access to OHFA's FTP server, email MultifamilyFTP@ohiohome.org with the name, company, email address, and phone number of the person who will be uploading the application documents. Login information will be sent to the individual named in the email from OHFA's Office of Information Technology.

What to Submit

A complete list of submission requirements can be found in [Appendix B](#). Submission requirements are also outlined in the AHFA and in the 2021 QAP.

The proposal application is made up of the following:

- Applicable required documentation as outlined in the **Document Submission Requirements** section of the [2021 QAP](#). (Applicable items are noted in the QAP as a BGF requirement.)
- [Application Fee](#)
- **Articles of Incorporation** evidencing 501(c)(3) or (c)(4) status (*nonprofits only*)
- **Audited Financial Statements** (*existing projects only*)
 - The financials must be for the proposed project only, and not a portfolio. OHFA will consider exceptions.
- **Board Resolution** authorizing an application for the BGF resources (*nonprofits only*)
 - The resolution must specify the amount of the request and identify the individuals authorized to execute legal documents on behalf of the nonprofit.

If submitting through the OHFA FTP server, all files must be submitted in one compressed ("zip") folder. The hard copy Architectural Plans and Application Fee (if submitting a check) must still be mailed to OHFA.

Final Application

When to Submit

Final applications must be submitted by the date noted in the [Program Calendar](#).

How to Submit

The completed application package, including required supporting documentation, may be submitted in either of the following ways:

1. On a compact disc, mailed to the below address:
*Ohio Housing Finance Agency
Office of Multifamily Housing, Development Division
Operations Manager
57 East Main Street
Columbus, Ohio 43215*

OR

2. Electronically, via OHFA's FTP server.
To request access to OHFA's FTP server, email MultifamilyFTP@ohiohome.org with the name, company, email address, and phone number of the person who will be uploading the application documents. Login information will be sent to the individual named in the email from OHFA's Office of Information Technology.

What to Submit

A complete list of submission requirements can be found in [Appendix B](#). Submission requirements are also outlined in the AHFA and in the 2021 QAP.

If submitting through the OHFA FTP server, all files must be submitted in one compressed ("zip") folder. The hard copy Architectural Plans and Application Fee (if submitting a check) must still be mailed to OHFA.

G. Application Review and Approval

Application Review Process

Proposal Application Review

Exception Requests: OHFA will only consider exceptions for those items specifically allowed under these Guidelines and/or represented in the OHFA Exception Request Form. Exception Requests are due by the date indicated on the [Program Calendar](#).

Appeals: Applicants will have one week to submit appeals. Decisions made on appeals are final.

Experience and Capacity Review: Development teams must meet the requirements for experience and capacity as detailed in the [Eligible Applicants](#) section, as well as those detailed on page 13-14 and in Appendix C of the [2021 QAP](#). OHFA will complete this review prior to the submission of the Proposal application if requested. Otherwise the review will be completed concurrent with the competitive review based on information entered in the Experience and Capacity tab of the AHFA and required submission documentation.

Minimum Financial and Threshold Review: OHFA will complete a minimum financial and threshold review prior to competitive scoring. This review will evaluate adherence to the below requirements:

- **Conditional Financial Commitments**

See page 10 of the [Underwriting Guidelines](#) (“Commitment Letters”) and page 11 of the [2021 QAP](#) (“Conditional Financial Commitments”) for full requirements.

- ✓ *Financial commitment documentation for all non-OHFA sources (both permanent and construction) of debt and equity?*
- ✓ *Above documentation includes loan/grant amount, loan term, and interest rate?*
- ✓ *For competitive or contingent sources not yet awarded, documentation from funder with all required information?*
- ✓ *Description of alternative funding plan if the above competitive sources are not obtained?*

- **Rental Subsidy Commitment**

See page 12 of the [Underwriting Guidelines](#) (“Rental Income”) and pages 20-21 of the [2021 QAP](#) (“Rental Subsidy Contract”) for full requirements.

- ✓ *If currently receiving subsidy, a copy of the current contract?*
- ✓ *Approved/current rents or subsidies clearly stated in the documentation?*
- ✓ *If seeking rental subsidy, a letter or other evidence from the MHA/PHA or other subsidy provider describing the process and timeline for obtaining the subsidy, and verifying that the project is eligible for subsidy?*
 - *OHFA will make examples of acceptable rental subsidy commitment letters available on its website. Applicants are strongly encouraged to view these examples to ensure all necessary items are included in their letter.*

- **Debt Coverage Ratio**

See page 12 of the [Underwriting Guidelines](#) (“Debt Coverage Ratio”) for full requirements.

- ✓ *AHFA shows that the DCR (or income to expense ratio for projects with no hard debt) is 1.20 for the first year of stabilized operations, and that an annual DCR above 1.00 is maintained during the entire 15-year compliance period?*
 - ✓ *AHFA shows that the average hard DCR over the 15-year compliance period is not greater than 1.5?*
- **Rent Restrictions specific to HTC and HDAP funding sources**
 See page 12 of the Underwriting Guidelines (“Debt Coverage Ratio”) for full requirements.
 - ✓ *Rent restrictions are met for all of the funding sources being requested by applicant?*
 - ✓ *Exception Request form submitted if applicant is unable to meet the requirements of any specific funding source (HOME, OHTF, or NHTF), and request has been approved by OHFA?*

Once reviews have been completed, applicants will be notified of any underwriting or threshold deficiencies and will be given one calendar week to correct the items. **Applications will not move forward to the competitive review process until all identified deficiencies are resolved by the applicant.**

OHFA may reject applications that have deficiencies that would cause a delay in the review of the proposed project, or represent a significant risk to the success of the proposed project.

Competitive Review: OHFA will complete a review of the [competitive criteria](#). Once reviews have been completed, applicants will be notified of any competitive deficiencies and will be given one calendar week to address the items. No new information may be submitted by the applicant. The applicant may only identify where, in the original submission, OHFA may find the documentation or information necessary to award competitive points.

Pre-Award Site Visit: OHFA may conduct a site review to confirm the suitability of a prospective site for the proposed use. If a site is deemed unsuitable based on the site review, OHFA will remove the application from further consideration.

Award Announcement: OHFA will notify applicants if their proposal(s) qualify to move forward to a final application. OHFA will announce award recipients on its [website](#).

Threshold Review and Financial Underwrite: OHFA will conduct a thorough review and evaluation of each proposal’s ability to proceed, compliance with program requirements, and financial feasibility. Once reviews have been completed, applicants will be notified of any deficiencies and will be given two calendar weeks to address the items. Applicants who are unable to cure deficiencies will not be invited to submit a final application.

Development Next Steps Meeting: OHFA may require successful applicants meet with OHFA staff; however, any applicant not required to meet with OHFA may request to do so.

Final Application Review

OHFA will conduct both a thorough threshold and underwriting review based on the submitted items. The final application will also be reviewed against the competitive criteria it received points for under the proposal application submission.

Application Approval Process

Once all review criteria are met, the OHFA Analyst will work with the development team to prepare an executive summary for internal Peer Review. Following Peer Review, the development team must answer any additional questions within 10 business days. The development will then be scheduled for presentation to the Multifamily Committee of the OHFA Board. This Committee meets the second Wednesday of the month, and the applicant will be required to attend. The Multifamily Committee will review the request and vote whether or not to make a formal recommendation for approval to the OHFA Board.

Only the OHFA Board can approve a request for funding. The OHFA Board meets the third Wednesday of the month, and the applicant is encouraged to attend. If the OHFA Board approves the request for funding, OHFA will enter into a funding agreement with the applicant.

Applicants must have an inducement resolution for OHFA-issued bonds prior to seeking OHFA Board approval of the HDAP awards. If using OHFA's bond financing, OHFA will not issue HDAP funding agreements until the development receives final bond approval by the OHFA Board.

H. Post-Award

Project Timeline

Once the funding has been approved by the OHFA Board, OHFA will issue a funding agreement which details the terms and conditions of the award. Below are estimated terms and deadlines for projects awarded PY21 BGF funding:

| | |
|--|---|
| Term Of Loan/Loan Maturity Date: | 30-year term ⁴ |
| Construction Commencement Deadline: | No later than 12 months after the award is approved by the OHFA Board |
| Construction Completion Deadline: | December 31, 2024 |
| Final Draw Deadline: | March 1, 2025 |
| Final Performance Report Deadline: | March 1, 2025 |
| Term of Affordability Period: | Minimum 30-year term |

Subsequent Changes

Following application approval and continuing through the duration of the affordability period, the recipient must notify OHFA immediately of proposed changes to the project and seek OHFA approval to implement these changes. Such changes include, but are not limited to, changes in the development team (developer, general contractor, sales agent/management entity, etc.), changes in the number of units or unit mix and changes to the target population.

- Prior to submitting the final closeout report, notification must be directed to the project's assigned Development or Project Administration Analyst.
- After project closeout, notification must be sent to the Project Portfolio Manager at OHFAProjectChanges@ohiohome.org.

The HDAP recipient must remain the majority/controlling partner, sole owner, or a general partner/managing member during the entire construction phase. Changes to the recipient after the construction phase must be approved by OHFA in writing.

Loan Closing

OHFA will enter into a funding agreement with the HDAP recipient and/or limited partnership. Once the funding agreement is signed by all appropriate parties, the recipient may request a closing of the HDAP note and mortgage. The project team must compile and submit all required due diligence before requesting a closing date, as described in the OHFA Loan Closing Procedures document on the [OHFA Loan Closing webpage](#). The requested closing date must be between 30 and 60 days from the date the request was submitted.

Construction Monitoring and Project Administration

Once developments have a signed funding agreement, they will be referred to a Project Administration Analyst. The analyst will guide them through the construction, draw and closeout process.

⁴ All loans have a standard term of 30 years. Applicants should carefully consider the term of the HDAP award as OHFA has limited ability to change the term after the award has been approved. Applicants should work with legal counsel to ensure a 30-year term is appropriate for all funding sources. If a term longer than 30 years is needed, applicants must communicate the proposed length and reasons for the longer term to OHFA prior to the application review process or in the contents of the application materials.

Construction Monitoring

OHFA staff will visit the site throughout the project to verify quality of work, site safety and adherence to the construction schedule. The HDAP recipient is required to send an email to ConstructionMonitoring@ohiohome.org notifying OHFA of the construction start date no less than five business days before the anticipated construction commencement date.

The HDAP Recipient is also required to begin submitting the [OHFA Quarterly Construction Monitoring Report](#) once the HDAP funding has been approved by the OHFA Board. These reports are submitted quarterly along with Field Inspection Reports conducted by the Construction Management Entity. **If the Quarterly Construction Monitoring Report for the most recent reporting period has not been submitted, OHFA will hold any submitted draw requests for that project until it is submitted.** OHFA may require additional construction monitoring reports provided by a qualified third-party inspector, including an architect or professional with experience in construction management.

Any change orders or other documentation altering the approved design, contract work scope, and/or completion date must also be provided to OHFA prior to execution.

Requesting Funds

In order to draw funds, the project must have closed with Legal, and OHFA must be in receipt of an ACH Authorization, W-9 form, Signature Certification, and Signature Card. Recipients are required to submit draw requests using the most current *OHFA Request for Payment form* and in accordance with policies and procedures outlined in the *Guide to Requesting HDAP Funds*, both available on the [Project Administration webpage](#).

OHFA may modify the draw schedule as it deems necessary for efficient and effective program operation.

Project Closeout

Project closeout involves completion and/or receipt of the following items as described in more detail below:

- Compliance Next Steps Meeting
- Construction Closeout Visit
- HDAP Final Performance Report
- IRS Form 8609

Compliance Next Steps Meeting

Completion of the Compliance Next Steps (CNS) meeting is **required for all properties** as they transition between development and compliance. If not completed, the issuance of Form 8609 will be delayed. The [Compliance Next Steps Process webpage](#) contains the most current information on the CNS meeting, including scheduling information and required forms and documents. Generally, projects will be required to complete and submit a Project Confirmation Form as well as the following documents prior to the CNS meeting:

- Affirmative Fair Housing Marketing Plan
- Certificate of completion for [OHFA Compliance Policies and Regulations training](#)
- Current lease with any addendums and attachments
- List of non-optional tenant charges and amounts
- Site map of the project
- Supportive Services Plan and Agreement

- Tenant Selection Plan
- Utility Allowance or Rent Schedule documentation
- VAWA Emergency Transfer Plan
- Current Rent Roll with Move-In Dates (Acquisition/Rehabilitation only)
- Current Relocation Plan (Acquisition/Rehabilitation only)

Construction Closeout Visit

An OHFA staff member will conduct a construction closeout visit at substantial completion (98%). Any deficiencies will be noted at this time and shared with the HDAP recipient. OHFA will work with the HDAP recipient to resolve the deficiencies before the project may finish the closeout process.

HDAP Final Performance Report

Ten percent of the HDAP award will be held back until the project has completed construction, the construction closeout visit has been conducted, and the HDAP recipient has provided OHFA with a completed and accurate Final Performance Report. The Final Performance Report form may be requested from the Project Administration Analyst. The deadline for submitting this report is noted in the funding agreement.

Recipients of NHTF will be required to submit a cost certification performed by a certified public accountant for each project assisted with NHTF funds. Projects funded with other sources may be required to submit a cost certification prepared by an independent certified public accountant at this time as well.

IRS Form 8609

The HDAP recipient will follow instructions for requesting Form 8609 as outlined on page 91 of the [2021 QAP](#) and as described in the 8609 materials on the [Project Administration webpage](#). The final Form(s) 8609 will not be issued until all of the above requirements have been completed.

Compliance Monitoring

Compliance Monitoring requirements can be found on pages 94-99 and 109-110 of the [QAP](#).

Asset Management

Asset Management requirements can be found on page 100 of the [QAP](#).

APPENDIX A: Additional Resources

Program Guidelines:

- [2021 Qualified Allocation Plan](#)
- [Housing Development Loan Program Guidelines](#)
- [Multifamily Lending Program Guidelines](#)
- [Multifamily Bond Program Guidelines \(OHFA-issued bonds only\)](#)

Other Guidelines:

- [2021 OHFA Design & Architectural Standards](#)
- [2021 OHFA Multifamily Underwriting Guidelines](#)
- [Ohio Development Services Agency Residential Rehabilitation Standards](#)
- [NHTF Interim Rule](#)
- [2021 NHTF Allocation Plan](#)

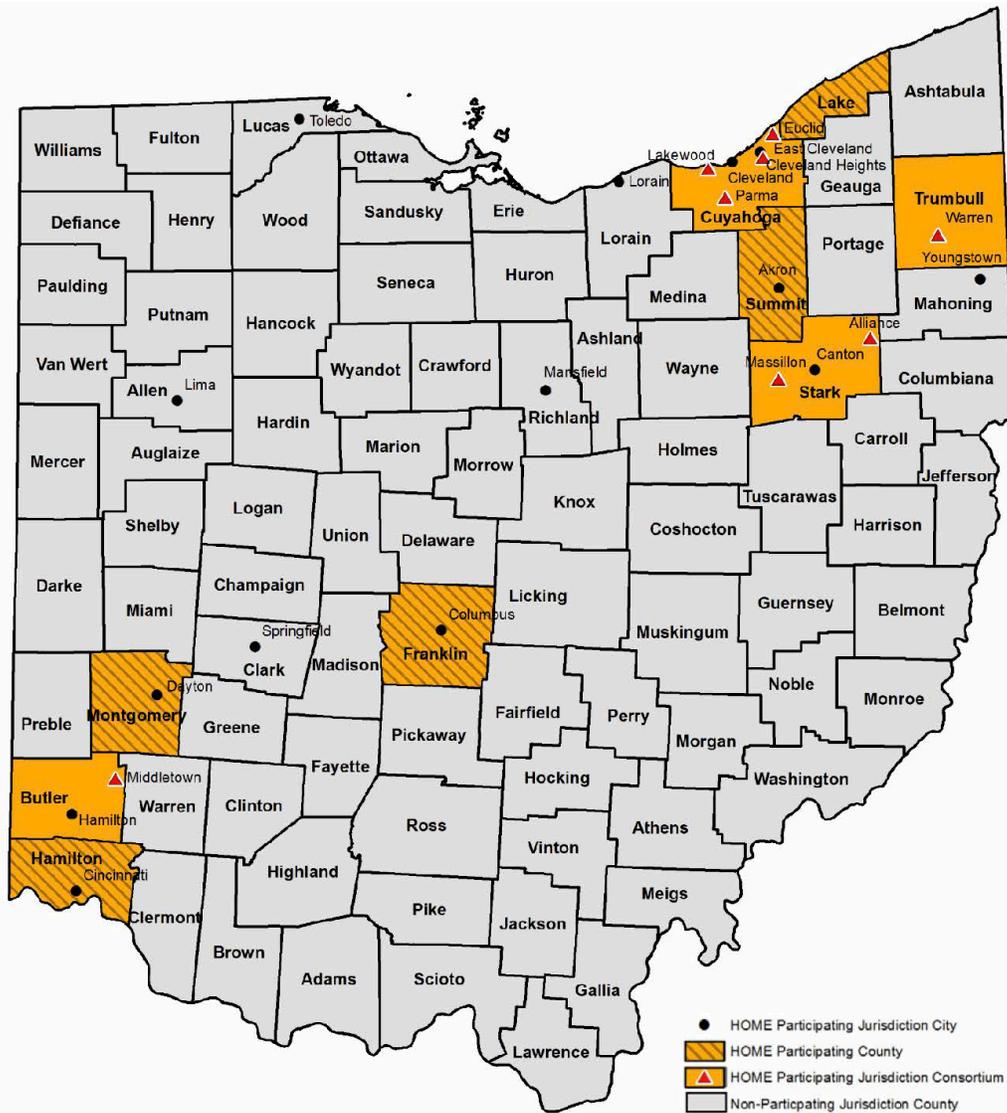
Compliance Resources:

- [Compliance Policies and Requirements](#)
- [Compliance Policies and Regulations Training](#)
- [Compliance Next Steps Process](#)

APPENDIX B: Submission Requirements

| Required Documents | Application | |
|---|-------------|-------|
| | Proposal | Final |
| Affordable Housing Financing Application (AHFA) | ■ | ■ |
| Application Fee | ■ | ■ |
| Appraisal | | ■ |
| Architectural Plans & DCF Form | ■ | ■ |
| Articles of Incorporation (nonprofits only) | ■ | |
| Audited Financial Statements (existing projects only) | ■ | |
| Authorization to Release Tax Information | ■ | |
| Board Resolution (nonprofits only) | ■ | |
| Community Outreach Plan | | ■ |
| Competitive Support Documents | ■ | |
| Conditional Financial Commitments | ■ | ■ |
| Condominimized Space Description | | ■ |
| Development Team Consultant Statement | ■ | |
| Development Team Experience and Capacity Review | ■ | |
| Evidence of Site Control | ■ | ■ |
| Exception Requests | ■ | |
| Federal Tax Identification Number Documentation | | ■ |
| Legal Description | | ■ |
| LIHTC Lease Addendum | | ■ |
| List of Changes from Proposal Application | | ■ |
| Management Company Capacity Review (in AHFA) | | ■ |
| Market Study | ■ | |
| Multifamily Bond Financing Information | | ■ |
| Notification to Statewide Accessibility Groups (new units only) | | ■ |
| Phase I Environmental Site Assessment | ■ | |
| Phase II Environmental Site Assessment (if applicable) | | ■ |
| Physical Capital Needs Assessment & Scope of Work | ■ | |
| Proposal Summary PDF | ■ | |
| Public Notification (new units only) | ■ | |
| Related Party Transaction Questionnaire | | ■ |
| Relocation Plan | | ■ |
| Rental Subsidy Contract | ■ | ■ |
| Scattered Site Development Map | ■ | |
| Site Visit Documents | ■ | |
| Utility Allowance Information | ■ | ■ |
| Zoning | ■ | |

APPENDIX C: HUD Participating and Non-Participating Jurisdictions



Prepared by the Office of Community Development
 Community Services Division
 Ohio Development Services Agency (December 2013)